

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**March 13, 2007**

**Members present:** P. Kanter, C. Dundon, L. Krause, R. Ackley

**Members absent:** P. Van Horn

**Others present:** T. Barbeau, *Town Engineer*, D. Roberts, *Highway Superintendent*, P. Mortimer, *Code Enforcement Officer*, J. Stevens, *Lake Country Reporter*, 5 citizens

**Public Hearing:** Prior to the regularly scheduled Town Board meeting there will be a Public Hearing before the Town Board Supervisors regarding the proposed park impact fee ordinance that may be enacted under the provisions of §66.0617, Wisconsin Statutes. The Town Board meeting will begin immediately following the conclusion of the Public Hearing. The Public Hearing opened at 7:04 p.m.

*There was no public comment on this issue. The Public Hearing closed at 7:08 PM.*

**First order of business:** Call to Order

*Chairman Kanter called the Board of Supervisors meeting to order at 7:08 PM.*

**Second order of business:** Pledge of Allegiance

**Third order of business:** Minutes of February 27, 2007

*The minutes will be filed as presented by the Town Clerk.*

**Fourth order of business:** Action on vouchers submitted for payment:

A. Report on budget sub-accounts and action to amend 2007 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

**MOVED TO APPROVE PAYMENT OF CHECKS #43260 – 43290 IN THE AMOUNT OF \$35,645.77**

Payroll

**MOVED TO APPROVE PAYMENT OF CHECKS #17894 – 17936 IN THE AMOUNT OF \$29,503.81**

**MS. DUNDON/MR. KRAUSE**

**MOTION CARRIED**

**Fifth order of business:** Communications (*for discussion and possible action*)

A. None

*The Town Clerk stated that Attorney Riffle submitted correspondence re: Open Meetings Law – Use of Electronic Mail.*

**Sixth order of business:** Unfinished Business

A. None

**Seventh order of business:** New Business

A. Consideration of Ordinance No. 2007-002 to impose impact fees on developers to pay for the capital costs necessary to accommodate land development

*Chairman Kanter confirmed that, in accordance with Wisconsin Statute Section 66.0617(4), the public facilities needs assessment was made available for public inspection and copying in the office of the Town of Delafield Clerk at least twenty days before the public hearing was held.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE ORDINANCE NO. 2007-002. MOTION CARRIED.**

- B. Consideration of sale of highway trucks - 1970 Oshkosh and 1987 GMC

*The Town Board directed the Highway Superintendent to research values of each truck and report his findings at the next meeting.*

- C. Consideration of Plan Commission's recommendation for approval of a Conditional Use Permit under Section 17.05 5. &. Legal Non-Conforming Uses on lands at N28 W29787 Shorewood Road

*Mr. Barbeau summarized stating the Conditional Use Permit would allow two homes to remain on a single parcel of land and a garage to be built on an outlot not directly connected to the lot with the homes on it. A permit to remove one of the homes must be taken out no more than three years from the recorded document date.*

**MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE THE CONDITIONAL USE PERMIT FOR LANDS AT N28 W29787 SHOREWOOD ROAD. MOTION CARRIED.**

- D. Consideration of Plan Commission's recommendation for approval of a Certified Survey Map creating one parcel and one outlot on lands at N28 W29787 Shorewood Road

*Mr. Barbeau summarized stating that the Certified Survey Map will designate the parcel on Pewaukee Lake as Lot 1 and the parcel located north of Shorewood Road as Outlot 1. The CSM will include a note stating that Lot 1 and Outlot 1 shall not be sold or transferred separately and that no house shall be allowed on the lot located north of Shorewood Road.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO APPROVE THE CERTIFIED SURVEY MAP CREATING ONE PARCEL AND ONE OUTLOT ON LANDS AT N28 W29787 SHOREWOOD ROAD. MOTION CARRIED.**

- E. Consideration of Plan Commission's recommendation for approval of a Conditional Use permit to operate a church at N6 W31449 Alberta Drive

*Mr. Barbeau stated that the subject Conditional Use Permit is very similar to the current one. Minor changes include the starting time for services and evening selections for meetings. Letter "H" was added to reflect that, "prior to recording the C.U. Permit, Cornerstone Church shall provide the Town with a signed easement agreement or letter of understanding signed by the church and property owner to the south of the church property that provides ingress and egress to the church site off of STH 83". Letter "L" was revised to include, "requests for special events shall be submitted to the Town Engineer for approval or forwarding to the Plan Commission for review". This was added as a result of the petitioner requesting permission to possibly hold a recital at the church in the future.*

**MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO APPROVE THE CONDITIONAL USE PERMIT TO OPERATE A CHURCH AT N6 W31449 ALBERTA DRIVE. MOTION CARRIED.**

- F. Consideration of request from Ellanor Golla for a determination as to the status of lots at W292 N2104 Elmhurst Drive

*Mr. Barbeau summarized stating that Ms. Golla currently owns 3 parcels and one half of a 40' right-of-way. The individual lots are legal non-conforming, all under one tax key #. She is requesting to reconfigure the lot lines in order to get 2 equal size parcels under one tax key number. Lot 1 is proposed as legal conforming. Lot 2 is non-conforming as it does not meet the 120' lot width requirement due to the 20' wide access strip between Elmhurst Drive and the lot. Town Code allows the opportunity for the Town to make a determination as to the status of the lots. This process consists of petitioning the Town Board for a determination. (Ms. Golla submitted a written petition to the Town Engineer). If the Town Board sees fit to do so, the matter is referred to the Plan Commission for review. Discussion followed on ownership and maintenance of the 13 ft. wide ingress/egress easement located immediately south of the 20' wide strip of land extending to Elmhurst Dr. from the main portion of Lot 2 (the south half of the vacated right-of-way of East Street).*

**MOTION MADE BY MR. ACKLEY, SECONDED BY MR. KRAUSE TO REFER THIS ISSUE TO THE PLAN COMMISSION TO COME UP WITH RECOMMENDATIONS SO THAT THE OWNERS HAVE THE OPPORTUNITY TO EXPLORE COSTS AND COME BACK TO THE TOWN BOARD FOR A RECOMMENDATION. MOTION CARRIED.**

**Eighth order of business:** Announcements and Planning Items

- A. Capitol Day – March 14
- B. Next Plan Commission Meeting – March 20 – Public Hearing to rezone Town Land (Town Board quorum needed)
- C. Next Town Board Meeting – March 27, 2007
- D. Spring Election – April 3, 2007

**Ninth order of business:** Adjournment

**MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO ADJOURN. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 7:58 P.M.**

Respectfully submitted,

Mary T. Elsner, CMC, WCMC  
Town Clerk

Minutes approved on March 27, 2007